

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA
CHARLESTON DIVISION

KRISTINA ANN CAREFELLE,)	C.A. NO:
)	
Plaintiff,)	
)	
vs.)	LOCAL RULE 26.03
)	DISCLOSURES
COLLEGE OF CHARLESTON,)	
)	
Defendant.)	
_____)	

(1) A short statement of the facts.

RESPONSE:

Plaintiff was employed by the Defendant as an Assistant Director from May of 2001 through July 31, 2002 in a temporary status / full time employee capacity. On August 1, 2002 the Defendant promoted the Plaintiff to permanent status as a full time employee. Plaintiff continued to be employed by the Defendant until her constructive discharge on or about February 27, 2004.

The Defendant College of Charleston promoted a harassing work environment forcing a constructive discharge in violation of the Americans with Disabilities Act (ADA) 42 U.S.C. 12001, et. seq. The Plaintiff was continually subjected to discrimination by the Defendant and was required to seek medical attention and testing that was unwarranted. The Defendant continually subjected the Plaintiff to unreasonable and discriminatory requirements as terms and conditions of her employment. The Defendant harassed the Plaintiff because of her medical condition and intentionally created a hostile work environment for the Plaintiff based on her medical condition in order to force her to resign. The Defendant also took adverse employment actions against the Plaintiff based on its consideration of the Plaintiffs disability, and because it perceived the Plaintiff to be disabled.

As a result of the Defendants discriminatory, intentional, unlawful and malicious actions the Plaintiff suffered the loss of her employment, suffered lost wages and benefits associated with her job, suffered severe emotional distress, suffered future lost wages and benefits and suffered consequential economic losses.

(2) The names of fact witnesses likely to be called by the party and a brief summary of their expected testimony.

RESPONSE:

Kristina Ann Carefelle
2235 Apartment 4R Ashley Crossing Drive
Charleston, SC 29414
(843) 568-5341

Ms. Carefelle is the Plaintiff in the above referenced action. She will be able to testify about her employment with the Defendant. She will testify that the Defendant created and promoted a harassing and discriminatory work environment in violation of the Americans with Disabilities Act. She will also testify as to her damages.

Ms. Melinda Miley
Current employee of the Defendant
Randolph Hall, Suite 310
66 George Street
Charleston, SC 29424-0001
Home:
Work:
Cell:

Ms. Miley will be able to testify about her employment with the Defendant and her knowledge of any and all employee policies and procedures; both written and unwritten that she was aware of.

Tom Casey
Current employee of the Defendant
66 George Street
Charleston, SC 29424-0001
Home:
Work:
Cell:

Mr. Casey will be able to testify about his employment with the Defendant the College of Charleston. He will also be able to testify as to his knowledge of any and all employee policies and procedures; both written and unwritten that he is aware of. Mr. Casey will also be able to testify to the Defendants procedures in handling the constructive discharge of an employee and well as the Defendants policies for meeting the requirements of the Americans with Disabilities Act.

Dr. Debbi Fetner
Current employee of the Defendant
Address unknown at this time.
Home:
Work:
Cell:

Mrs. Fetner will be able to testify about her employment with the Defendant and her knowledge of any and all employee policies and procedures; both written and unwritten that she was aware of.

Dr. Lynn Cherry
Current employee of the Defendant.

Address unknown at this time.

Home:

Work:

Cell:

Mrs. Cherry will be able to testify about her employment with the Defendant and her knowledge of any and all employee policies and procedures; both written and unwritten that she was aware of.

Mrs. Lauren Kennington

Current employee of the Defendant.

Address unknown at this time.

Home:

Work:

Cell:

Mrs. Kennington will be able to testify about her employment with the Defendant and her knowledge of any and all employee policies and procedures; both written and unwritten that she was aware of.

Mr. Solveig Heintz

Retired employee of the Defendant.

Address unknown at this time.

Home:

Work:

Cell:

Mrs. Heintz will be able to testify about her years of employment with the Defendant. She will be able to testify as to her knowledge of any and all employee policy and procedures; both written and unwritten during her years working for the Defendant. Mrs. Heintz will also be able to testify as the Defendants work culture and the treatment of employees.

Mr. Leo I. Higdon Jr.

President of the College of Charleston

Address unknown at this time.

Home:

Work:

Cell:

Mr. Higdon will be able to testify about his employment with the Defendant. He will be able to testify as to his knowledge of any and all employee policy and procedures; both written and unwritten during his tenure at the College. Mr. Higdon will also be able to testify about the implementation and enforcement of the Defendants policies and procedures directed toward its employees.

Susan Atwood
Current employee of the Defendant.
Address unknown at this time.
Home:
Work: (843) 953-5709
Cell:

Mrs. Atwood will be able to testify about her employment with the Defendant. She also will be able to testify as to her knowledge of any and all employee policy and procedures; both written and unwritten. Mrs. Atwood will also be able to testify concerning employee performance evaluations.

Dee Cole
Current employee of the Defendant.
Address unknown at this time.
Home:
Work: (843) 953-8236
Cell:

Mrs. Cole will be able to testify about her employment with the Defendant and her knowledge of any and all employee policies and procedures; both written and unwritten that she was aware of.

Andria Stevens
Benefits Specialist College of Charleston
Address unknown at this time.
Home:
Work: (843) 953-5513
Cell:
E-mail: stevensa@cofc.edu

Mrs. Stevens will be able to testify about her employment with the Defendant and her knowledge of any and all employee policies and procedures; both written and unwritten that she was aware of. She will also be able to testify as to the benefits each employee receives and the cost and value of such benefits.

Sandy Butler
Assistant Director for benefits College of Charleston
Address unknown at this time.
Home:
Work: (843) 953-5709
Cell:

Mrs. Butler will be able to testify about her employment with the Defendant and her knowledge of any and all employee policies and procedures; both written and unwritten

that she was aware of. She will also be able to testify as to the benefits each employee receives and the cost and value of such benefits.

Donna G. Traywick
Employee for the state of South Carolina
Address unknown at this time.
Home:
Work:
Cell:

Mrs. Traywick will be able to testify about some of Plaintiffs grievances with the Defendant and review of Plaintiffs grievance complaint. She will also be able to testify about her knowledge of the Defendants policies and procedures and standards expected of there employees.

Sarah L. Gainey, LPC, LEAP
President, Save Incorporated
Strategies to Assist Valued Employees
4130 Faber Place Drive, Suite 115
N. Charleston, SC 29405-8502
Home:
Work: (843) 747-5327 or 1-800-768-5327
Cell:

Mrs. Gainey will be able to testify about the Plaintiffs work environment with the Defendant and her knowledge as to how the Defendant implements policies or procedures to insure the guidelines of the Americans with Disabilities Act are met.

(2) The names and subject matter of expert witnesses (or the subject matter and field of expertise as to experts likely to be offered).

Renee Carter, M.D.
MUSC-Carolina Family Care
2125 Charlie Hall Blvd., Ste. 2B
Charleston, SC 29414-5880
Home:
Work: (843) 852-3151
Cell:

Dr. Carter is the Plaintiffs doctor. She will be able to testify about the Plaintiffs diagnosis, prognosis, treatment, and need for further treatment, including any physical or mental suffering resulting from the Defendants actions. Dr. Carter, as the Plaintiffs treating physician, may be considered an expert by the Court, although she has not been hired specially to render expert testimony.

Christine Lloyd, M.D.

198 Rutledge Avenue, Ste. 8
Charleston, SC 29403-5835
Home:
Work: (843) 577-5012
Cell:

Dr. Lloyd is the Plaintiffs doctor. She will be able to testify about the Plaintiffs diagnosis, prognosis, treatment, and need for further treatment, including any physical or mental suffering resulting from the Defendants actions. Dr. Lloyd, as the Plaintiffs treating physician, may be considered an expert by the Court, although she has not been hired specially to render expert testimony.

Samuel Rosen, M.D.
198 Rutledge Avenue, Ste. 8
Charleston, SC 29403-5835
Home:
Work: (843) 577-5012
Cell:

Dr. Rosen is the Plaintiffs doctor. He will be able to testify about the Plaintiffs diagnosis, prognosis, treatment, and need for further treatment, including any physical or mental suffering resulting from the Defendants actions. Dr. Rosen, as the Plaintiffs treating physician, may be considered an expert by the Court, although he has not been hired specially to render expert testimony.

Jonathan Halford, M.D.
MUSC-Neurology
96 Jonathan Lucas Street, Ste. 309
Charleston, SC 29425-8900
P.O. Box 250606
Charleston, SC 29425-0606
Home:
Work: (843) 792-3221
Cell:

Dr. Halford is the Plaintiffs doctor. He will be able to testify about the Plaintiffs diagnosis, prognosis, treatment, and need for further treatment, including any physical or mental suffering resulting from the Defendants actions. Dr. Halford, as the Plaintiffs treating physician, may be considered an expert by the Court, although he has not been hired specially to render expert testimony.

Khanh-Gien Hoang, M.D.
University ENT Associates
1280 Johnnie Dodds Blvd., Ste. 205
Mt. Pleasant, SC 29464-3286
Home:

Work: (843) 884-9921

Cell:

Dr. Hoang is the Plaintiffs doctor. He will be able to testify about the Plaintiffs diagnosis, prognosis, treatment, and need for further treatment, including any physical or mental suffering resulting from the Defendants actions. Dr. Hoang, as the Plaintiffs treating physician, may be considered an expert by the Court, although he has not been hired specially to render expert testimony.

Brian Sullivan, Psy.D.

Psycho Diagnostic Assessment Clinic

Counseling and Substance Abuse Services

College of Charleston

Charleston, SC 29424

Home:

Work: (843) 953-5640

Dr. Sullivan is the Plaintiffs doctor. He will be able to testify about the Plaintiffs diagnosis, prognosis, treatment, and need for further treatment, including any physical or mental suffering resulting from the Defendants actions. Dr. Sullivan, as the Plaintiffs treating physician, may be considered an expert by the Court, although he has not been hired specially to render expert testimony.

Debbie Gideon, Ph.D., LMSW

Psycho Diagnostic Assessment Clinic

Counseling and Substance Abuse Services

College of Charleston

Charleston, SC 29424

Home:

Work: (843) 953-5640

Cell:

Dr. Gideon is the Plaintiffs doctor. She will be able to testify about the Plaintiffs diagnosis, prognosis, treatment, and need for further treatment, including any physical or mental suffering resulting from the Defendants actions. Dr. Gideon, as the Plaintiffs treating physician, may be considered an expert by the Court, although she has not been hired specially to render expert testimony.

Kyrsten Sutton, M.D.

Carolina Women's Care

1941 Salvage Road, Ste. 100-F

Charleston, SC 29407-4788

Home:

Work: (843) 769-5148

Cell:

Dr. Sutton is the Plaintiffs doctor. She will be able to testify about the Plaintiffs diagnosis, prognosis, treatment, and need for further treatment, including any physical or mental suffering resulting from the Defendants actions. Dr. Sutton, as the Plaintiffs treating physician, may be considered an expert by the Court, although she has not been hired specially to render expert testimony.

Michael Vinson, Ph.D.
Director, Counseling and Substance Abuse Services
College of Charleston
Charleston, SC 29424
Home:
Work: (843) 953-5640
Cell:

Dr. Vinson is the Plaintiffs doctor. He will be able to testify about the Plaintiffs diagnosis, prognosis, treatment, and need for further treatment, including any physical or mental suffering resulting from the Defendants actions. Dr. Sutton, as the Plaintiffs treating physician, may be considered an expert by the Court, although he has not been hired specially to render expert testimony

(3) A summary of the claims or defenses with statutory and/ or case citations supporting the same;
RESPONSE:

Harassment and constructive discharge in violation of the Americans with Disabilities Act (ADA). 42 U.S.C. 12001, et seq.

(2) Local Rule 16.02 scheduling deadlines:
a) Exchange of FRCP 26(a)(2) expert disclosures
b) Completion of discovery.
RESPONSE:

A scheduling order has already been issued. The parties have filed a 26(f) report, accepting the Court's scheduling order as issued.

(3) Are there any special circumstances which would affect the time frames applied in preparing the scheduling Order?
RESPONSE:

No.

(4) Any additional information required by the Judge.
RESPONSE:

None requested to date.

S/ Chalmers Johnson
Chalmers C. Johnson
Federal I.D. # 6760
Attorney for the Plaintiff
182 East Bay Street, Suite 203
Charleston, SC 29401
(843) 723-8288

Date: May 4, 2005